



**PATENT** 5760-09200/VRTS-0220

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/722,614 Examiner: Unknown Group/Art Unit: 2661 Filed: November 26, 2003 Atty. Dkt. No: 5760-09200 Inventors: § § I hereby certify that this correspondence is being deposited with Ronald S. Karr, Oleg Kiselev and the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Alex Miroschnichencko § Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below. § Title: SYSTEM AND METHOD § § B. Noël Kivlin FOR EMULATING Printed Name **OPERATING SYSTEM** § **METADATA TO** § PROVIDE CROSS-§ Signature PLATFORM ACCESS TO § STORAGE VOLUMES

## INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicant requests consideration of \( \subseteq \) the references listed on the attached Form PTO-1449 and/or \( \subseteq \) the additional information identified below in paragraph 3.

\( \subseteq \) Pursuant to CFR \( \frac{\}{2}\) 1.98(a)(2)(i), copies of the cited U.S. patents and/or U.S. patent application publications are not enclosed.

\( \subseteq \) A copy of each non-U.S. patent and/or non-U.S. patent application publication reference listed on the Form PTO-1449 is enclosed.

\( \subseteq \) The non-U.S. patent and/or non-U.S. patent application publication references listed on the Form PTO-1449 were previously cited in application serial no.

\( \subseteq \) to which the captioned application is seeking priority under 35 \) U.S.C. \( \frac{\}{2}\) 120; therefore, a copy of each reference is not enclosed.

1.	i nis in	iormano	on Disclosure Statement is submitted.
	a.		within 3 months of the filing date of a national application other than a continued prosecution application under § 1.53(d); within 3 months of the date of entry of the national stage as set forth in § 1.491 in an International application; before the mailing date of a first Office Action on the merits; or before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.
	b.		after the events of above paragraph 1a and prior to the mailing date of a final Office Action or Notice of Allowance, and thus:   the certification of paragraph 2 below is provided, or a fee of \$180.00 is enclosed.
	c.		after the mailing date of a final Office Action or a Notice of Allowance and prior to payment of the issue fee, and thus: the certification of paragraph 2 below is provided and a fee of \$180.00 is enclosed.
2.	It is he	reby cer	tified:
		was ci applica designa	ch item of information contained in this Information Disclosure Statement ted in a communication from a foreign patent office in a counterpart ation and that this communication was not received by any individual ated in § 1.56(c) more than thirty (30) days prior to the filing of the ation disclosure statement;
	×	was ci	ch item of information contained in this Information Disclosure Statement ted in a communication from a foreign patent office in a counterpart application not more than three (3) months prior to the filing of the tent; or
		was ci foreign after n	ted in a communication from a foreign patent office in a counterpart application or, to the knowledge of the person signing the certification that application as a polynomial inquiry, was known to any individual designated in § 2) more than three (3) months prior to the filing of the Statement.
3.			leration of the following additional information (including any co-pending adoned U.S. applications, prior uses and/or sales, etc.) is requested:
4.	For eac	ch non-E	English language reference listed on the attached Form PTO-1449:
		referen	ice is made to an English language translation submitted herewith, and/or
			ace is made to a foreign patent office search report (in the English ge) submitted herewith, and/or
	<u> </u>		ice is made to an English language translation of a foreign patent office report submitted herewith, and/or

		reference is made to the concise explanation contained in the specification of the present application at page(s), and/or
		reference is made to the concise explanation set forth below:
5.		Applicant also offers the following comments for the Examiner's consideration:
6.		Also enclosed is a copy of a foreign search report citing these references.
7.		The listed documents were brought to the attention of the Applicant(s) after payment of the issue fee in the captioned case. The documents were cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. Applicant(s) request this Information Disclosure Statement and attached Form PTO-1449 be placed in the file of the captioned application.
8.		Applicant(s) requests that the Information Disclosure Statement and attached Form PTO-1449 and references, which are being filed before the grant of the patent and pursuant to 37 C.F.R. § 1.97(i), be placed in the file of the captioned application.
	If any	required fees are missing, the Commissioner is authorized to charge said fees to
Meyer 09200/		ood, Kivlin, Kowert & Goetzel, P.C. Deposit Account No. 501505/5760-
		Respectfully submitted,
		B. Noël Kivlin
		Reg. No. 33,929 Attorney for Applicant(s)

MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C. P. O. Box 398 Austin, Texas 78767 (512) 853-8800

Date: 6 -9-0-

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Form PTO-1449 (modified)
List of Patents and Publications

For Applicant's Information
Disclosure Statement

ASTY. DKT. NO. 5760-09200

SERIAL NO. 10/722,614

APPLICANT: Karr, et al.

GROUP: 2661

(U	se severa	l sheets if necessary)		2: November 26, 2003		·	
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		OTHER ART (I	ncluding Author,	Title, Date, Pertinent Pa	ages, Etc.)		,
	B1	Notification of Transmit International Searching PCT/US2004/039306; N	Authority, or the				on of the
	B2	"IBM Storage Tank A D 2002.	istributed Storage	e System," IBM Corpo	ration, pag	es 1 – 16,	January 24,
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DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the patent owner.